

Applicants: Ann Marie Schmidt et al.  
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found inter alia in the specification as follows: Claim 47: page 9, lines 33-35, page 10, lines 1-3 and page 12, lines 8-13; Claim 50: page 12, lines 11-13. Claims 47 and 50 do not involve any issue of new matter. Therefore, entry of this amendment is respectfully requested such that claims 47, 50, 55-68 and 70-72 will be pending.

Claim Rejections/Objections Withdrawn:

The Examiner stated that the objection to the specification is withdrawn in response to applicant's arguments. The Examiner stated that the objection to claim 50 is withdrawn in response to applicant's amendment. The Examiner stated that the rejection of claims 47, 50, 55-68 and 70-72 under 35 U.S.C. §112, first paragraph, as lacking enablement and written description is withdrawn in response to applicant's arguments and submitted references.

Rejection under 35 U.S.C. §103(a):

The Examiner maintained the rejection of claims 47, 50, and 55-68 under 35 U.S.C. §103(a) is maintained and newly applied to claims 70-72. The Examiner alleged that the applicants argue that Morser et al., Hori et al., and Ritthaler et al. do not teach specific treatment of inflammation. The Examiner alleged that the applicant argues that there is thus no support for the assertion that there is sufficient motivation to use sRAGE or anti-RAGE antibodies to inhibit inflammation. The Examiner stated that the applicant's arguments have been fully considered but have not been found to be persuasive. The Examiner maintains that as alleged in the office

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action of paper no.17, Morser et al. teaches in column 4 that the presence of AGE results in local, chronic inflammation. The Examiner alleges that Morser et al. further teach inhibition of AGE/RAGE interactions and teach the use of sRAGE polypeptides and antibodies for this purpose. The Examiner alleges that in addition, as was not noted in previous office actions, Morser et al. teaches biologically active fragments of sRAGE in column 6, lines 1-5. The Examiner alleges further, as stated in the office action of paper no. 15, that both Ritthaler et al. and Hori et al. teach that RAGE is involved in inflammation. The Examiner alleges that one of ordinary skill, on considering the teachings of Morser et al., Ritthaler et al., and Hori et al., would know that RAGE is involved in inflammation and that antibodies, sRAGE, and fragments of sRAGE can be used therapeutically. The Examiner alleges that it would thus have been prima facie obvious to one of ordinary skill to use the antibodies and polypeptides of Morser et al. to inhibit inflammation. The Examiner alleges that one of ordinary skill would have been motivated to do so because each of these references teaches that RAGE interactions cause inflammation, and because Morser et al. specifically teaches therapeutic uses of inhibition of RAGE interactions with its ligands by such antibodies and polypeptides. The Examiner alleged that one of ordinary skill would expect to be able to treat inflammation successfully by inhibiting RAGE.

In response, applicants respectfully traverse the Examiner's above

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rejection. Nevertheless, applicants without conceding the correctness of the Examiner's position, but to expedite prosecution of the subject applicants have hereinabove amended claims 47 and 50. Claims 47 and 50 now more particularly point-out the metes and bounds of the claimed invention and recite the "V-domain of soluble RAGE" rather than the alleged limitation "sRAGE". Applicants contend that amended claims 47 and 50 obviate the Examiner's above rejection and respectfully request that the Examiner reconsider and withdraw this ground of rejection.

#### Summary

For the reasons set forth hereinabove, applicants respectfully request that the Examiner reconsider and withdraw the various grounds of objection and rejection and earnestly solicit allowance of the now pending claims, i.e. claims .

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

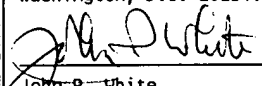
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No fee, is deemed necessary in connection with the filing of this Amendment. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:	
Assistant Commissioner for Patents, Washington, D.C. 20231.	
 John P. White Reg. No. 28,678	7/10/02 Date

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Exhibit A:

--47. (3X amended) A method for inhibiting inflammation in a subject which comprises administering to the subject a compound selected from the group consisting of: an anti-EN-RAGE antibody or fragment thereof[, an anti-RAGE antibody or fragment thereof,] and the V-domain of [a] soluble RAGE polypeptide or fragment thereof, thereby inhibiting inflammation in the subject.--

--50. (2X amended) The method of claim 47, wherein the compound consists essentially of the ligand binding domain of the V-domain of soluble [s] RAGE polypeptide or fragment thereof [peptide] or the ligand binding domain of EN-RAGE antibody or [f a] fragment thereof.--